

CLOSED

**US District Court Electronic Case Filing System**  
**District of Utah (Central)**  
**CIVIL DOCKET FOR CASE #: 2:04-cv-00003-PGC**

Cap Recovery v. HUD  
Assigned to: Judge Paul G. Cassell  
Demand: \$222,000  
Cause: 05:0552 Freedom of Information Act

Date Filed: 01/05/2004  
Date Terminated: 07/14/2004  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**Capital Recovery**  
*a Utah Corporation*

represented by **K. C. Jensen**  
SMART SCHOFIELD SHORTER  
&LUNCEFORD  
5295 S COMMERCE DR STE 200  
MURRAY, UT 84107  
(801)747-0647  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**United States Department of Housing  
and Urban Development**

Date Filed	#	Docket Text
01/05/2004	<u>1</u>	Complaint filed, assigned to Judge Paul G. Cassell Receipt no.: 135389 (ekg) (Entered: 01/06/2004)
05/13/2004	<u>2</u>	Order to Show Cause signed by Judge Paul G. Cassell, 5/13/04. Plaintiff is directed to respond in writing within 15 days from the date of this order and inform the Court of the status of the case and intentions to proceed. Failure to do so will result in dismissal of the case. cc: atty (tsh) (Entered: 05/14/2004)
07/14/2004	<u>3</u>	Order, dismissing case with prejudice for failure to serve process within 120 days signed by Judge Paul G. Cassell , 7/14/04 cc:atty (tsh) (Entered: 07/15/2004)
07/14/2004		Case closed per order 3 (tsh) (Entered: 08/03/2004)
11/03/2004	<u>4</u>	Ex parte motion by Cap Recovery for reconsideration of [3-1] order dismissing case with prejudice for failure to serve process within 120 days, [3-2] relief (blk) (Entered: 11/04/2004)
11/03/2004	<u>5</u>	Memorandum by Cap Recovery in support of [4-1] ex parte motion for reconsideration of [3-1] order dismissing case with prejudice for failure to serve process within 120 days, [3-2] relief (blk) (Entered: 11/04/2004)
11/08/2004	<u>6</u>	Order granting [4-1] ex parte motion for reconsideration of [3-1] order dismissing case with prejudice for failure to serve process within 120 days, [3-2] relief, amending [3-1] order dismissing case with prejudice to reflect a dismissal without prejudice. Signed by Judge Paul G. Cassell , 11/08/04 cc:atty (tsh) (Entered: 11/09/2004)